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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)

IL-11180

In re Application of: **Scott A. Lerner**Application No.: **10/680,847**Filed: **10/06/2003**For: **Compact Imaging Spectrometer Utilizing Immersed Gratings**The owner*, **The Regents of the University
of California**

The owner*, of California, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/658,141, filed on 09/09/2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

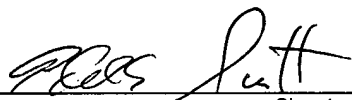
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 25,220


SignatureJune 20, 2005
DateEddie E. Scott

Typed or printed name

(925) 424-6897

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included. \$65.00

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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I hereby certify that the *attached* correspondence comprising:

1. Authorization for Fee Payment for Terminal Disclaimers to Obviate a Provisional Double Patenting Rejection Over a Pending "Reference" Application (2 pages), 2. Return Postcard
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on June 21, 2005

Kathy Raymond
Kathy Raymond

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant :	Scott A. Lerner	Docket No. :	IL-11180
Serial No. :	10/680,847	Art Unit :	2877
Filed :	10/06/2003	Examiner :	Fannie L. Evans
For :	COMPACT IMAGING SPECTROMETER UTILIZING IMMERSED GRATINGS		

Commissioner of Patents
Alexandria, VA 22313-1450

AUTHORIZATION FOR FEE PAYMENT FOR
TERMINAL DISCLAIMERS TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING "REFERENCE"
APPLICATION

1. A response in connection with the matter for which this authorization is provided:
 - ☒ is filed herewith
 - ☐ has been filed.
 - ☐ the response is the filing of a file wrapper or other continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application.
2. Applicant is
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Dated: June 20, 2005
Reg No.: 25,220
Tel. No.: (925) 424-6897

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